



COUNTY OF SAN LUIS OBISPO
DEPARTMENT OF PLANNING AND BUILDING
STAFF REPORT

Tentative Notice of Action

Promoting the wise use of land
Helping build great communities

MEETING DATE September 16, 2005 LOCAL EFFECTIVE DATE October 1, 2005 APPROX FINAL EFFECTIVE DATE October 21, 2005	CONTACT/PHONE Terry Wahler, Project Planner 805-781-5621	APPLICANT Ron and Sharon Bettencourt	FILE NO. DRC2003-00145
SUBJECT Request by Ron and Sharon Bettencourt for a Minor Use Permit/Coastal Development Permit to allow development of an approximately 6,000 square-foot, two-story residence, including an attached garage, and related grading and site improvements. The project will result in the disturbance of approximately 15,000 square feet of a 17,000 square-foot parcel. The proposed project is within the Residential Suburban land use category and is located at 2680 Vista De Avila, at its intersection with Lupine Canyon Road, within the Heron Crest neighborhood of San Luis Bay Estates, approximately 2,000 feet north of the community of Avila Beach. The site is in the San Luis Bay Planning Area.			
RECOMMENDED ACTION Approve Minor Use Permit DRC2003-00145 based on the findings listed in Exhibit A and the conditions listed in Exhibit B.			
ENVIRONMENTAL DETERMINATION Consistency with the Subsequent Final EIR for Tract 2149 was determined for the project (logged on August 29, 2005 as ED05-097)			
LAND USE CATEGORY Residential Suburban	COMBINING DESIGNATION Local Coastal Program, Coastal Appealable Zone, Geologic Study Area	ASSESSOR PARCEL NUMBER 064,180,004	SUPERVISOR DISTRICT: 3
PLANNING AREA STANDARDS: San Luis Bay Estates Residential Suburban #1: Limitation on Use <i>Does the project meet applicable Planning Area Standards? Yes - see discussion</i>			
LAND USE ORDINANCE STANDARDS: Section 23.01.043: Appeals to the Coastal Commission (Coastal Appealable Zone); Section 23.07.080: Geologic Study Area; Section 23.07.120: Local Coastal Program <i>Does the project conform to the Coastal Zone Land Use Ordinance Standards? Yes - see discussion.</i>			
FINAL ACTION This tentative decision will become the final action on the project, unless the tentative decision is changed as a result of information obtained at the administrative hearing or is appealed to the County Board of Supervisors pursuant Section 23.01.042 of the Coastal Zone Land Use Ordinance; effective on the 10th working day after the receipt of the final action by the California Coastal Commission. The tentative decision will be transferred to the Coastal Commission following the required 14-calendar day local appeal period after the administrative hearing. The applicant is encouraged to call the Central Coast District Office of the Coastal Commission in Santa Cruz at (831) 427-4863 to verify the date of final action. The County will not issue any construction permits prior to the end of the Coastal Commission process.			

EXISTING USES: Vacant	
SURROUNDING LAND USE CATEGORIES AND USES: <i>North:</i> Open Space/open space and oak woodland <i>East:</i> Residential Suburban/single-family residences <i>South:</i> Residential Suburban/single-family residences <i>West:</i> Open Space/open space and oak woodland	
OTHER AGENCY / ADVISORY GROUP INVOLVEMENT: The project was referred to: Avilla Valley Advisory Council, Public Works, County Fire Department (CDF), Avila CSD, San Miguelito Mutual Water Company, San Luis Bay Estates HOA, and the California Coastal Commission.	
TOPOGRAPHY: Gently to moderately sloping	VEGETATION: Grasses, oak trees
PROPOSED SERVICES: Water supply: San Miguelito Mutual Water Company Sewage Disposal: San Miguelito Mutual Water Company Fire Protection: County Fire Department	ACCEPTANCE DATE: July 29, 2005
ADDITIONAL INFORMATION MAY BE OBTAINED BY CONTACTING THE DEPARTMENT OF PLANNING & BUILDING AT: COUNTY GOVERNMENT CENTER ♦ SAN LUIS OBISPO ♦ CALIFORNIA 93408 ♦ (805) 781-5600 ♦ FAX: (805) 781-1242	

DISCUSSION:

PROJECT HISTORY:

The Master Development Plan for San Luis Bay Estates includes a general phasing plan that establishes the number of units allowed for each residential phase as well as the open space requirements. An amendment to the Master Development Plan allowed the later phases to be combined into a single planned development Tract Map application (Tract 2149) that established a more specific phasing schedule for the residential neighborhoods within the tract. This project is located in Phase 4b, of Heron Crest, Tract 2149.

PROJECT DESCRIPTION:

The applicants, Ron and Sharon Bettencourt, are proposing to construct an approximately 6,000 square foot two story residence with an approximately 1,000 square foot, garage, and related grading and site improvements, in the Residential Suburban Land Use Category. The property is located in the county at 2680 Vista De Avila, within the Heron Crest neighborhood of San Luis Bay Estates, approximately 2,000 feet northwest of the community of Avila. The proposed project is similar to other custom residences that have been approved in this phase of Tract 2149.

PROJECT ANALYSIS

The primary issues addressed with this Minor Use Permit review are: consistency with the revised master development plan D930130D, oak tree preservation, visual impacts, minimizing grading, containing site disturbance in the designated building envelope, building height and setbacks.

The building pad for this site was not graded in conjunction with the grading for tract road and utility improvements as it was for some other lots in Heron Crest. A remnant high point at the road intersection creates an anomaly in the overall site grade. The revised plans (responding to visual impact issues) propose reducing the height of the remnant highpoint and slope, recontouring this area to make the grade at this point lower, more in keeping with the surrounding grade and improving site distance at the intersection as well. The existing elevation of the pad is considered "existing grade" for the purposes of height measurement.

Oak tree removal in Heron Crest is limited to trees located within designated building sites. The applicant has elected to retain several trees along the eastern side of the site within the designated building envelope and is required to protect the oak trees located outside of the building envelope along the property line. Prior to grading, protective fencing is required to be installed and trimming of oak tree limbs will require review by an arborist and approval by Planning staff.

A visual analysis was prepared by the Morro Group to evaluate the visual impacts of the proposed residence from the public viewshed along Avila Beach Drive and the public views from Avila Beach, principally along Front Street. The applicant's architect responded to the recommendations of the report and staff's design concerns by reducing the height of the building at the critical highpoint, providing architectural features to shade and darken the leading edge of the residence, providing mid-range stucco color and darker variegated roof tiles. Additionally, landscaping is included that will further blend the residence into the surrounding natural terrain.

With the attached conditions of approval staff has determined that the project is consistent with the General Plan, the CZLUE and CZLUO, the Master Development Plan and Tract 2149/Development Plan D930130D and the mitigation measures for certified final subsequent EIR.

ENVIRONMENTAL REVIEW:

A Final Subsequent Environmental Impact Report was certified by the Planning Commission along with the approval of Tract 2149/Development Plan D930130D. This project was determined to be consistent with and within the scope of that document. A site specific visual analysis was prepared by an independent consultant. It was determined through the visual study that the resulting structure would be substantially screened from the primary public view area along Avila Beach Drive. In addition special colors and materials have been identified that will further reduce the visual impact of the project. No new potentially significant impacts have been identified that would require an additional environmental review document. The project implements the specific mitigation measures identified in the certified FSEIR applicable to this residence. A recommended finding has been included in Exhibit A to reflect the use of the FSEIR.

PLANNING AREA STANDARDS:

San Luis Bay Area Plan

AREAWIDE - San Luis Bay Estates 1. Permit Required - Master Plan. Consistency with Master Development Plan - Phase 4B.

RESIDENTIAL SUBURBAN - San Luis Bay Estates 1. Limitation on Use - Uses allowed include home occupations, residential accessory uses; single family dwellings.

The proposed plans are consistent with the Planning Area Standards for San Luis Bay Estates because the project meets the provisions of the Master Development Plan and the limitations on allowed uses within the Residential Suburban land use category.

MASTER DEVELOPMENT PLAN FOR SAN LUIS BAY ESTATES:

The proposed plans are consistent with the Master Development Plan for San Luis Bay Estates because the project adheres to the provisions of the Master Development Plan as revised in Development Plan D930130D.

COASTAL ZONE LAND USE ORDINANCE STANDARDS:

Section 23.01.043: Appeals to the Coastal Commission (Coastal Appealable Zone)

The project is appealable to the Coastal Commission because the site is located in the appealable area between the first public road and the beach. Due to the site's location in a private gated community in the coastal mountains approximately 2,000 feet from the beach with numerous intervening properties, the proposal won't interfere with public access to and along the coast.

Section 23.07.120 - Local Coastal Program

The project site is located within the California Coastal Zone as established by the California Coastal Act of 1976, and is subject to the provisions of the Local Coastal Program.

COASTAL PLAN POLICIES:

The project is consistent with the Local Coastal Plan. The most relevant policies follow.

Shoreline Access: ☒ Policy No. 2: New Development

Recreation and Visitor Serving: N/A

Energy and Industrial Development: N/A

Commercial Fishing, Recreational Boating and Port Facilities: N/A

Agriculture: N/A

Public Works: N/A

Coastal Watersheds: N/A

Visual and Scenic Resources: ☒ Policy 1: Protection of Visual and Scenic Resources

Visual and Scenic Resources: ☒ Policy 2: Site Selection for New Development

Visual and Scenic Resources: ☒ Policy 5: Landform Alterations

Hazards: ☒ Policy 2: Erosion and Geologic Stability

Archaeology: ☒ Policy 1: Protection of Archaeological Resources

Air Quality: N/A

COASTAL PLAN POLICY DISCUSSION:

Shoreline Access

Policy 2, New Development: The proposed project is consistent with this policy which states that new development provide maximum public access from the nearest public roadway to and along the shoreline, with exceptions, because although the site is located within the area designated as the first public road and the shoreline, due to the site's location in a private gated community in the coastal mountains approximately 2,000 feet from the beach with numerous intervening properties and the abundance of public coastal access points along Avila beach. The project will not interfere with public access to the coast.

Visual and Scenic Resources

The project was determined to be consistent with the visual mitigation measures in the Certified SFEIR for Tract 2149 and was re-evaluated with a lot-specific visual analysis to ensure that the residence is substantially screened from the public view corridor. The project was redesigned to reduce potential visual impacts.

Policy 1, Protection of Visual and Scenic Resources: The project is consistent with this policy because the residence was redesigned to reduce the visual impact of the residence from the public view corridor along Avila Beach Drive and from the Beach to an acceptable level.

Policy 2, Site Selection for New Development: The proposed project is consistent with this policy because the proposed addition will not interfere with public views to the ocean.

Policy 5, Landform Alterations: The project is designed to minimize grading by containing the majority of the grading to the area within the designated building site.

Hazards

The project is located in a Geologic Study Area and all of the lots in Heron Crest were evaluated in the Tract 2149 SFEIR. This lot did not warrant special mitigation measures because no earthquake faults or active landslides are present in this area of the Tract. Additional review of geotechnical issues is required by Title 19 and the Coastal Zone Land Use Ordinance with the building permit application.

Archeology

The SFEIR for Tract 2149 evaluated archaeological resources. This residence will not include any new site disturbance near a known archaeological site.

Does the project meet applicable Coastal Plan Policies? Yes, as conditioned.

COMMUNITY ADVISORY GROUP COMMENTS:

The Avila Valley Advisory Council reviewed the proposed project, and had no comments.

AGENCY REVIEW:

Public Works: Recommend approval; erosion and sedimentation control plan will be required with the building permit. Avila Road Fees will be collected in conjunction with the building permit.

San Miguelito Mutual Water Company: "will serve" water and sewer letter issued

County Fire Department: Specific fire safety standards are required with the building permit.

California Coastal Commission: No comments were submitted prior to preparation of this staff report.

LEGAL LOT STATUS:

The site is lot 4 of Tract 2149, approved pursuant to the Subdivision Map Act and local ordinances.

Staff report prepared by Terry Wahler.

EXHIBIT A: FINDINGS - DRC 2003-00145

- A. The proposed project or use is consistent with the Local Coastal Program and the Land Use Element of the general plan because it is a single family residence located in an area designated "Residential Suburban" allowed by Table "O" of the Land Use Element and Local Coastal Plan.
- B. The proposed project satisfies all applicable provisions of Title 23.
- C. The establishment and subsequent operation or conduct of the use will not, because of the circumstances and conditions applied in the particular case, be detrimental to the health, safety or welfare of the general public or persons residing or working in the neighborhood of the use, or be detrimental or injurious to property or improvements in the vicinity of the use because the residence will be required to satisfy the provisions of the Uniform Building Code, and the Coastal Zone Land Use Ordinance pertaining to health and safety.
- D. The proposed project or use will not be inconsistent with the character of the immediate neighborhood or contrary to its orderly development because it is a single-family residence located in a residential area with similar residences.
- E. The proposed use or project will not generate a volume of traffic beyond the safe capacity of all roads providing access to the project, either existing or to be improved with the project, because it is a single family residence located on a private local road capable of carrying the additional traffic generated by the project.
- F. The project has been found to be consistent with and within the scope of the Subsequent Final Environmental Impact Report (FSEIR) for Tract 2149 (prepared in accordance with the applicable provisions of the California Environmental Quality Act, Public Resources Code Section 21000, et seq.) No new potentially significant impacts have been identified that would require further environmental review. The specific mitigation measures identified in the certified FSEIR that are applicable to this residence were incorporated into the project by design and through the conditions of approval.
- G. The site is located between the first public road and the ocean, however it is located on a ridge overlooking the Town of Avila surrounded by other residential lots within San Luis Bay Estates, and therefore will not interfere with public access to and along the coast. In addition, it is not physically possible or appropriate for a public coastal access way to be provided by this project. The nearest existing public pedestrian/bikeway that connects to the Town of Avila (and the public beach) is located along Blue Heron Drive adjacent to San Luis Creek, thus satisfying the public access and recreation policies of Chapter 3 of the California Coastal Act.

EXHIBIT B: CONDITIONS OF APPROVAL DRC 2003-00145

Authorized Use

1. This approval authorizes an approximately 6,000 square-foot, two-story residence, including an attached garage, and related grading and site improvements and related grading and site improvements.
 - a) All **structures and grading** (excepting driveway access) shall be located within the **designated building site** established by Tract 2149, except for minor grade transitions and portions of cantilevered decks (if any).
 - b) Height shall be as shown on the approved site plan and elevations. In no case may the height exceed 24 feet as measured continuously from existing grade at the building footprint (24 feet from all points of the existing pad).
 - c) Setbacks shall be as follows: Front: 20 feet for garages, Front: 15 feet for rest of residence, Rear: 10 feet, Side: 5 feet as approved by Development Plan D930130D.
 - d) Stucco/siding, windows, trim, railings, etc. and roof materials shall be consistent with the final staff approved **color and materials** information package to be submitted to staff prior to their review of the building permit/construction drawings.
2. All development shall be consistent with the approved site plan, floor plans, and elevations.

On-going conditions of approval (valid for the life of the project)

3. This land use permit is valid for a period of 24 months from its effective date unless time extensions are granted pursuant to Coastal Zone Land Use Ordinance Section 23.02.050 or the land use permit is considered vested. This land use permit is considered to be vested once a construction permit has been issued and substantial site work has been completed. Substantial site work is defined by Coastal Zone Land Use Ordinance Section 23.02.042 as site work progressed beyond grading and completion of structural foundations; and construction is occurring above grade.
4. All conditions of this approval shall be strictly adhered to, within the time frames specified, and in an on-going manner for the life of the project. Failure to comply with these conditions of approval may result in an immediate enforcement action by the Department of Planning and Building. If it is determined that violation(s) of these conditions of approval have occurred, or are occurring, this approval may be revoked pursuant to Section 23.10.160 of the Coastal Zone Land Use Ordinance.

Condition Compliance

5. The following steps shall be taken to implement project conditions in conjunction with the building permit application:
 - a) With the submittal of the building permit construction drawings, submit a certified arborist's or biologist's recommendations for protecting all retained oak trees that will need any limb or root trimming to allow for the proposed construction. Recommendations shall be reflected in the construction drawings as is appropriate.
 - b) One week prior to issuance of a building or grading permit the applicant shall request a development review section site inspection to verify that **protective fencing** for the adjacent steep hillside (at the building envelope line) and **oak trees** has been installed and a stock pile area for earthwork has been staked or otherwise identified by the building contractor to prevent disturbance outside of the building envelope.
 - c) Prior to issuance of a building or grading permit a **final landscape plan** shall be submitted to the development review section for review and approval (see landscaping plan condition below for contents of plan).
 - d) Prior to pouring the foundation and obtaining foundation (form) building inspection sign-off, the applicant shall demonstrate to the building inspector that the residence is in conformance with the required setbacks.
 - e) Prior to pouring the foundation and obtaining foundation (form) building inspection and shall establish a height measurement control point for the framing contractor.
 - f) Prior to obtaining a building inspection sign-off for framing, the applicant shall ensure compliance with the required height limit by having the roof ridge elevation confirmed by a licensed surveyor.
 - g) At least one week prior to finaling the building permit the applicant shall request a development review inspection to verify that the Minor Use Permit conditions have been adhered to including but not limited to: verification of height and setbacks compliance, oak tree protection, protection of protected areas outside the designated building envelope, grading containment, color and materials compliance, landscape (and fencing if any) installation.

Plans

6. **Construction drawings** for the building permit shall clearly show or provide for the following:
 - a) sections through the site showing compliance with the height limit of 24 feet from existing grade at all points, finish grade, the scaled height of the residence, and maximum elevations of the high points of the roof ridges
 - b) site plan shall show the location of the building footprint within the designated building envelope line, existing natural grade and finish grade with elevations called out, and setbacks

- c) all cut and fill quantities (with section drawings as needed)
- d) a stockpile plan for all earthwork (located within the designated building envelope or on an approved off-site location but not between the property lines and the building envelope line)
- e) oak trees to be retained both on-site and adjacent to the site where canopies extend into the site with protective measures clearly shown
- f) protective fencing for oak trees and for the hillside at the building envelope line.

Landscaping and Fencing

7. **Prior to the issuance of any construction permits**, the applicant shall submit final fencing plan; landscape, irrigation and landscape maintenance plans in accordance with Section 23.04.180 through 23.04.186 of the Land Use Ordinance to the Development Review Section of the Planning and Building Department for review and approval. Plans shall include location, species and container size of all proposed plant materials and method of irrigation. All proposed plant material shall be of a drought tolerant variety and be sized to provide a mature appearance within three years of installation. The landscape plan shall include the following:

Landscaping

- a) utilize native-type plants, such as oak trees (or compatible trees)
- b) indicate location and height of all proposed fencing materials (consistent with D930130D)
- c) areas outside the designated building site with oak woodland shall be left in a natural state

Fencing and Walls

- d) Perimeter property line fencing shall be limited to 3 feet in height and shall be of unpainted wood or wood appearing materials (or other natural materials).
- e) Solid rock or stucco walls shall not be permitted along property boundaries but may be allowed within the designated building envelope, subject to all building setbacks. Walls within building envelopes shall be of natural appearing materials and colors and shall be limited to 6 feet in height measured from finish grade
- f) All proposed fencing and walls shall be shown on construction plans with maximum height shown on an elevation, and color and materials called out on the plans.

8. All landscaping shall be installed or bonded for prior to finaling the building permit and shall be maintained in a viable condition in perpetuity.

Fire Safety

9. **Prior to submittal/issuance of a building permit** the applicant shall meet the fire safety requirements established by the County Fire Department. The fire safety vegetation clearance plan shall be consistent with fire safety mitigation measures from Tract 2149. Clearance shall be completed prior to finaling the building permit.

Tree Removal/Protection

10. Construction plans shall clearly delineate all trees within 50 feet of the proposed project, and shall show which trees are to be protected. **No trees shall be removed from outside of the building envelope.** For any trees located adjacent to the building envelope which may be impacted by the proposed construction, a certified arborist or biologist shall be retained by the applicant to identify appropriate construction methods that may be required in order to assure the least amount of impacts to the trees.
11. All trees to remain on-site that are within fifty feet of construction or grading activities shall be marked for protection (e.g., with flagging) and their root zone fenced **prior to any grading, and inspected by county staff.** The outer edge of the tree root zone is 1-1/2 times the distance from the trunk to the drip line of the tree. Grading, utility trenching, compaction of soil, or placement of fill shall be avoided within these fenced areas. If grading in the root zone cannot be avoided, retaining walls shall be constructed to minimize cut and fill impacts. Care shall be taken to avoid surface roots within the top 18 inches of soil. If any roots must be removed or exposed, they shall be cleanly cut and not left exposed above the ground surface.
12. **Prior to issuance of construction permits**, the applicant shall clearly show on the project plans all revised drainage patterns that are within 100 feet upslope of any existing (oak) trees to remain. All reasonable efforts shall be made to maintain the historic drainage patterns and flow volumes to these (oak) trees. If not feasible, the drainage plan shall clearly show which trees would be receiving more or less drainage. If the historic drainage pattern and flow volume cannot be maintained for these trees, the drainage plan shall be submitted to the Environmental Division for review. The Environmental Division will determine the significance to the affected trees from the proposed drainage pattern changes and require appropriate replacement levels (up to 4:1 replacement ratio). The applicant agrees that at such time, the County-recommended level of tree replacement along with any suggested measures to improve the success of existing and new trees will be completed.
13. The applicant recognizes that trimming of oaks can be detrimental in the following respects and agrees to minimize trimming of the remaining oaks: removal of larger lower branches should be minimized to 1) avoid making tree top heavy and more susceptible to "blow-overs", 2) reduce having larger limb cuts that take longer to heal and are much more susceptible to disease and infestation, 3) retain the wildlife that is found only in the lower branches, 4) retains shade to keep summer temperatures cooler (retains higher soil moisture, greater passive solar potential, provides better conditions for oak seedling volunteers) and 5) retain the natural shape of the tree. Limit the amount of trimming (roots or canopy) done in anyone season as much as possible to limit tree stress/shock (10% or less is best, 25% maximum). Excessive and careless trimming not only reduces the potential life of the tree, but can also reduce property values if the tree dies prematurely or has an unnatural appearance. If trimming is necessary, the applicant

agrees to use a skilled arborist who will apply accepted arborist's techniques when removing limbs. Unless a hazardous or unsafe situation exists, trimming shall be done only during the winter for deciduous species.

14. Smaller trees (smaller than 6 inches in diameter at four feet above the ground) within the project area are considered to be of high importance, and when possible, shall be given similar consideration as larger trees.
15. Construction equipment and staging areas shall be located outside of oak tree dripline areas. Dripline areas are shown on the revised site plan.
16. Final drainage plans shall be designed so that oak tree trunk areas are properly drained to avoid ponding.

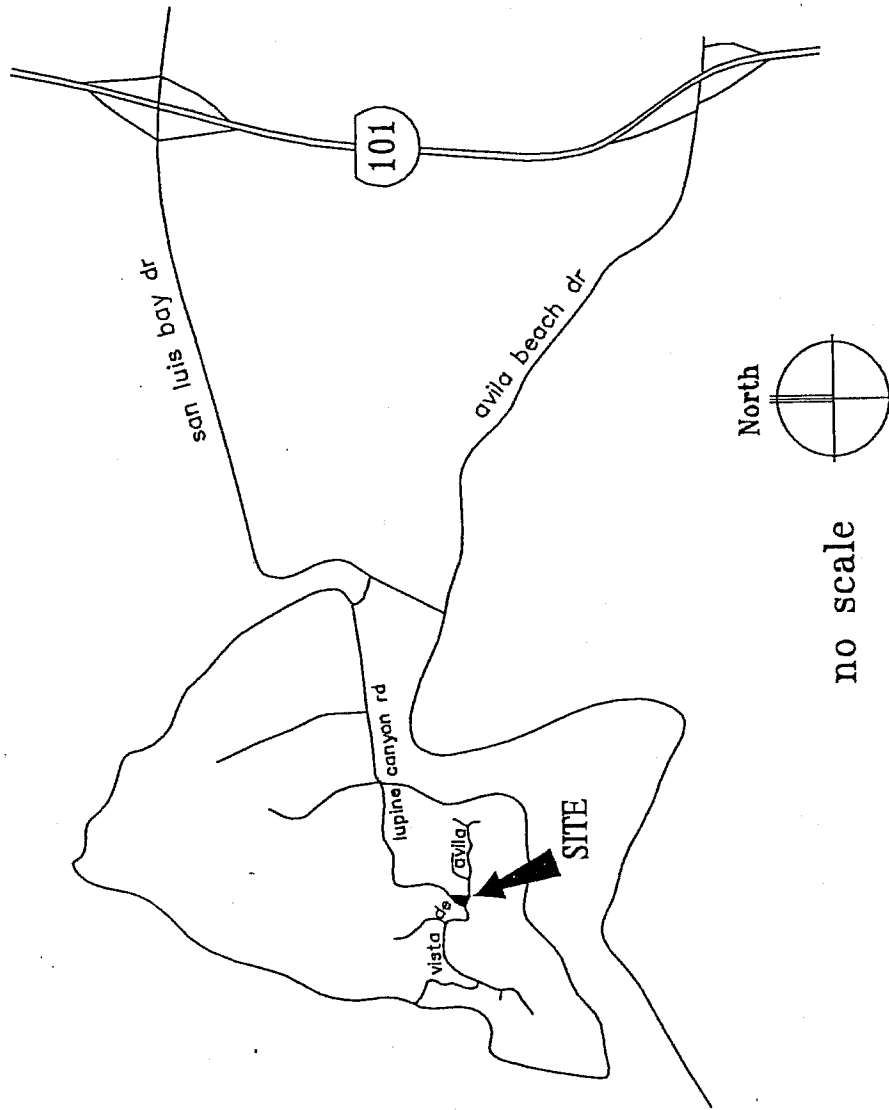
Archaeology

17. **In the event that unexpected archaeological deposits of significance are encountered** during grading, analysis shall occur in accord with the guidance and limitations provided in Section 15064.5 of CEQA and or Coastal Zone Land Use Ordinance Section or 23.05.140.

Geotechnical Report

18. Prior to issuance of a building or grading permit, if required by the Building Division, the applicant shall submit (in conjunction with construction drawings for the building permit) a geotechnical report that adequately address the site's geologic hazards and conditions. A letter from the Engineering Geologist attesting to the adequacy of the proposed construction methods and engineering for the residence may also be required.

Vicinity Map



PROJECT

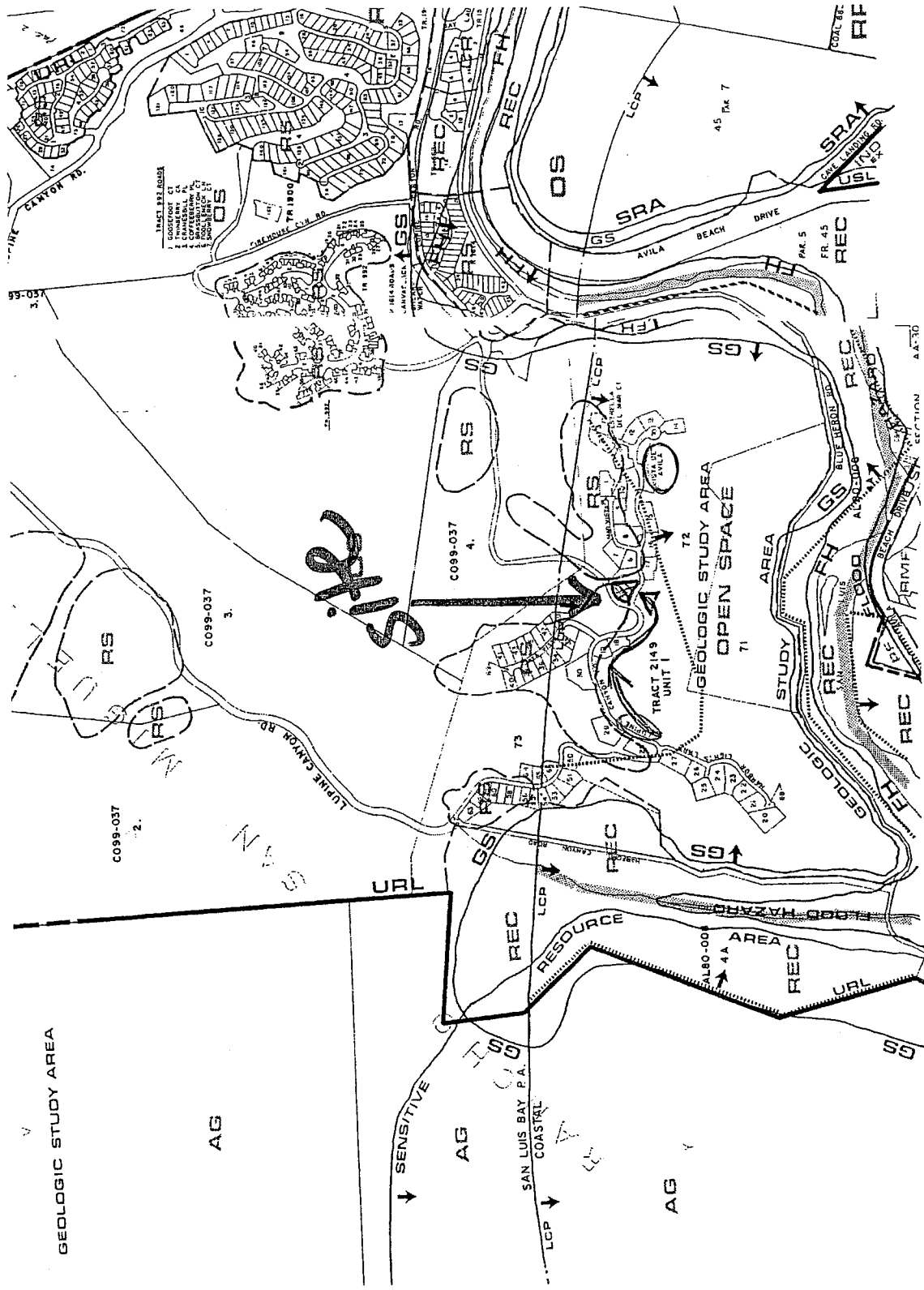
Minor Use Permit
Bettencourt - DRC 2003-00145

EXHIBIT

Vicinity Map



SAN LUIS OBISPO COUNTY DEPARTMENT OF BUILDING AND PLANNING



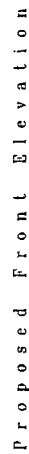
PROJECT

Minor Use Permit
Bettencourt - DRC 2003-00145

EXHIBIT

Land Use Category Map



[illegible]

This submission is the Final Design Review for a new Single Family Residence.

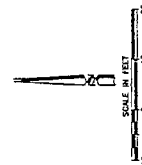
Corrosion Type	Type V-A, dry, accelerated
Number of Stakes	2 fold on multiple tests stopping with one impingement
Building Height	21 ft.
Wind direction	from NW
Wind speed	24 ft/sec
Temperature	70°F
Relative humidity	50%
Exposure	open
Notes	24 ft/sec, 21 ft

WAP 1 Project Statistics and Color Board
WAP 2 Floor Plans/ Pad Plan with Height Analysis
WAP 3 Exterior Drawings and Building Sections
L 1 Conceptual Landscape Plan
C 1 Conceptual Grading & Drainage Plan
S 1
S 2
S 3
S 4
S 5
S 6
S 7
S 8
S 9
S 10
S 11
S 12
S 13
S 14
S 15
S 16
S 17
S 18
S 19
S 20
S 21
S 22
S 23
S 24
S 25
S 26
S 27
S 28
S 29
S 30
S 31
S 32
S 33
S 34
S 35
S 36
S 37
S 38
S 39
S 40
S 41
S 42
S 43
S 44
S 45
S 46
S 47
S 48
S 49
S 50
S 51
S 52
S 53
S 54
S 55
S 56
S 57
S 58
S 59
S 60
S 61
S 62
S 63
S 64
S 65
S 66
S 67
S 68
S 69
S 70
S 71
S 72
S 73
S 74
S 75
S 76
S 77
S 78
S 79
S 80
S 81
S 82
S 83
S 84
S 85
S 86
S 87
S 88
S 89
S 90
S 91
S 92
S 93
S 94
S 95
S 96
S 97
S 98
S 99
S 100
S 101
S 102
S 103
S 104
S 105
S 106
S 107
S 108
S 109
S 110
S 111
S 112
S 113
S 114
S 115
S 116
S 117
S 118
S 119
S 120
S 121
S 122
S 123
S 124
S 125
S 126
S 127
S 128
S 129
S 130
S 131
S 132
S 133
S 134
S 135
S 136
S 137
S 138
S 139
S 140
S 141
S 142
S 143
S 144
S 145
S 146
S 147
S 148
S 149
S 150
S 151
S 152
S 153
S 154
S 155
S 156
S 157
S 158
S 159
S 160
S 161
S 162
S 163
S 164
S 165
S 166
S 167
S 168
S 169
S 170
S 171
S 172
S 173
S 174
S 175
S 176
S 177
S 178
S 179
S 180
S 181
S 182
S 183
S 184
S 185
S 186
S 187
S 188
S 189
S 190
S 191
S 192
S 193
S 194
S 195
S 196
S 197
S 198
S 199
S 200
S 201
S 202
S 203
S 204
S 205
S 206
S 207
S 208
S 209
S 210
S 211
S 212
S 213
S 214
S 215
S 216
S 217
S 218
S 219
S 220
S 221
S 222
S 223
S 224
S 225
S 226
S 227
S 228
S 229
S 230
S 231
S 232
S 233
S 234
S 235
S 236
S 237
S 238
S 239
S 240
S 241
S 242
S 243
S 244
S 245
S 246
S 247
S 248
S 249
S 250
S 251
S 252
S 253
S 254
S 255
S 256
S 257
S 258
S 259
S 260
S 261
S 262
S 263
S 264
S 265
S 266
S 267
S 268
S 269
S 270
S 271
S 272
S 273
S 274
S 275
S 276
S 277
S 278
S 279
S 280
S 281
S 282
S 283
S 284
S 285
S 286
S 287
S 288
S 289
S 290
S 291
S 292
S 293
S 294
S 295
S 296
S 297
S 298
S 299
S 300
S 301
S 302
S 303
S 304
S 305
S 306
S 307
S 308
S 309
S 310
S 311
S 312
S 313
S 314
S 315
S 316
S 317
S 318
S 319
S 320
S 321
S 322
S 323
S 324
S 325
S 326
S 327
S 328
S 329
S 330
S 331
S 332
S 333
S 334
S 335
S 336
S 337
S 338
S 339
S 340
S 341
S 342
S 343
S 344
S 345
S 346
S 347
S 348
S 349
S 350
S 351
S 352
S 353
S 354
S 355
S 356
S 357
S 358
S 359
S 360
S 361
S 362
S 363
S 364
S 365
S 366
S 367
S 368
S 369
S 370
S 371
S 372
S 373
S 374
S 375
S 376
S 377
S 378
S 379
S 380
S 381
S 382
S 383
S 384
S 385
S 386
S 387
S 388
S 389
S 390
S 391
S 392
S 393
S 394
S 395
S 396
S 397
S 398
S 399
S 400
S 401
S 402
S 403
S 404
S 405
S 406
S 407
S 408
S 409
S 410
S 411
S 412
S 413
S 414
S 415
S 416
S 417
S 418
S 419
S 420
S 421
S 422
S 423
S 424
S 425
S 426
S 427
S 428
S 429
S 430
S 431
S 432
S 433
S 434
S 435
S 436
S 437
S 438
S 439
S 440
S 441
S 442
S 443
S 444
S 445
S 446
S 447
S 448
S 449
S 450
S 451
S 452
S 453
S 454
S 455
S 456
S 457
S 458
S 459
S 460
S 461
S 462
S 463
S 464
S 465
S 466
S 467
S 468
S 469
S 470
S 471
S 472
S 473
S 474
S 475
S 476
S 477
S 478
S 479
S 480
S 481
S 482
S 483
S 484
S 485
S 486
S 487
S 488
S 489
S 490
S 491
S 492
S 493
S 494
S 495
S 496
S 497
S 498
S 499
S 500
S 501
S 502
S 503
S 504
S 505
S 506
S 507
S 508
S 509
S 510
S 511
S 512
S 513
S 514
S 515
S 516
S 517
S 518
S 519
S 520
S 521
S 522
S 523
S 524
S 525
S 526
S 527
S 528
S 529
S 530
S 531
S 532
S 533
S 534
S 535
S 536
S 537
S 538
S 539
S 540
S 541
S 542
S 543
S 544
S 545
S 546
S 547
S 548
S 549
S 550
S 551
S 552
S 553
S 554
S 555
S 556
S 557
S 558
S 559
S 560
S 561
S 562
S 563
S 564
S 565
S 566
S 567
S 568
S 569
S 570
S 571
S 572
S 573
S 574
S 575
S 576
S 577
S 578
S 579
S 580
S 581
S 582
S 583
S 584
S 585
S 586
S 587
S 588
S 589
S 590
S 591
S 59

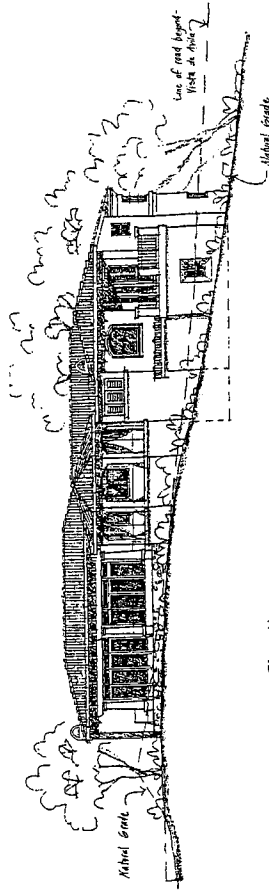


EXHIBIT

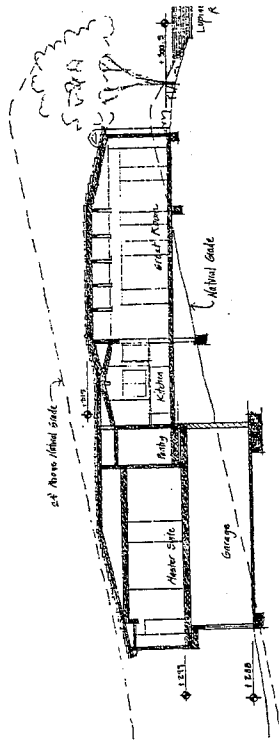
Elevation.



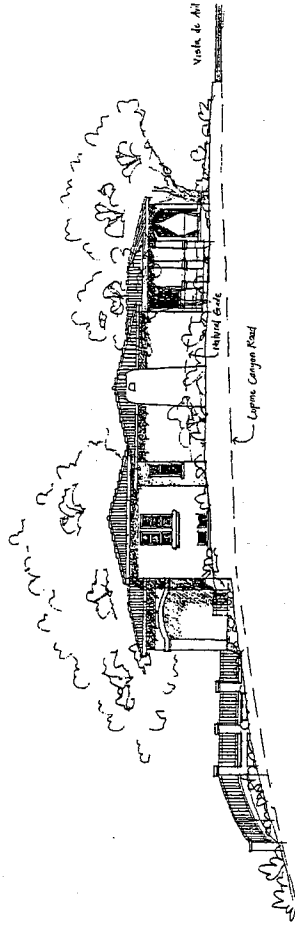
Roofing: Shingles or Gables with Tiled Gables
 Windows: None Brown Wood
 Doors: None



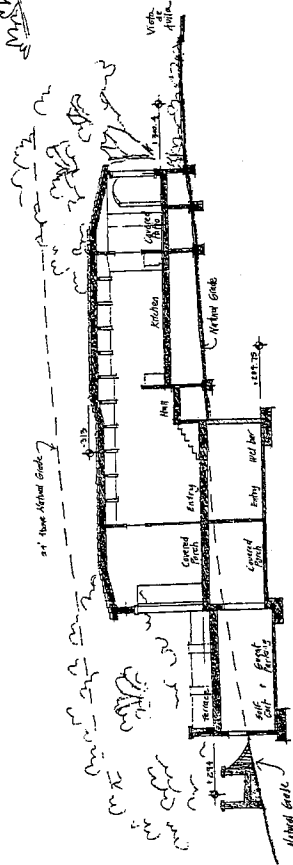
Rear Elevation
1/8" = 1'-0"



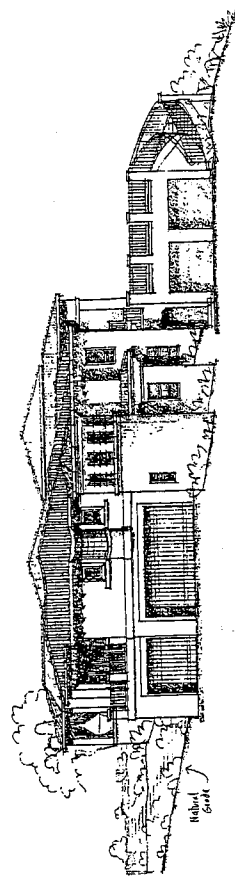
Section A
1/8" = 1'-0"



Street Side Elevation
1/8" = 1'-0"



Section B
1/8" = 1'-0"



Side Elevation

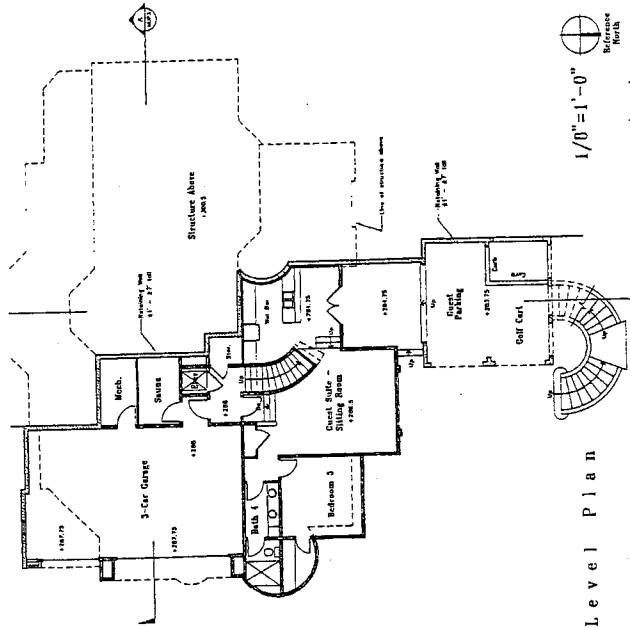
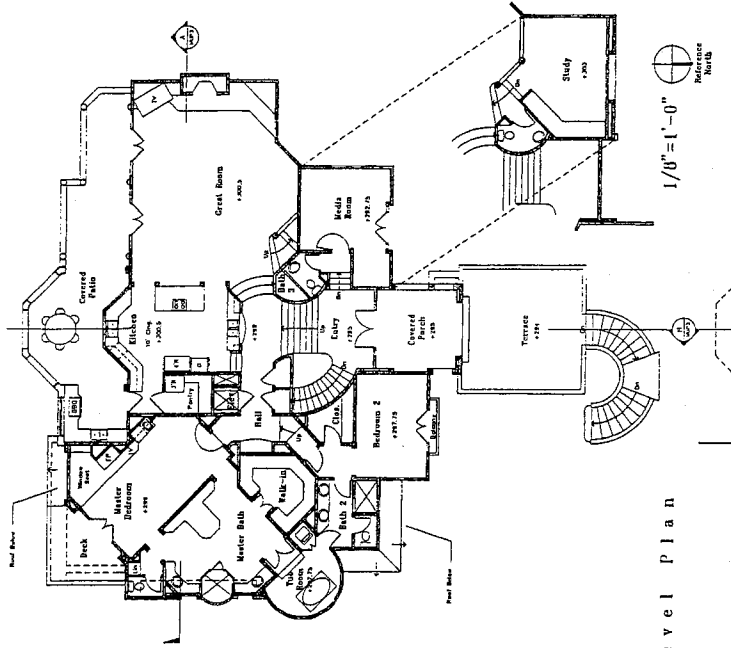
PROJECT

Minor Use Permit
 Bettencourt - DRC 2003-00145



EXHIBIT

Elevations



PROJECT

Minor Use Permit
Bettencourt - DRC 2003-00145

EXHIBIT

Floor Plans



[illegible]

1. All planting shall comply with Planting Specifications.
2. All plant materials shall be Nursery Grade.
3. All planted areas shall receive 3" bare mulch except under oaks where natural soil shall remain but where grasses shall be seed-whipped when dry for pest protection.
4. Irrigation design shall incorporate drip irrigation, and automatic controller with rain sensor, and appropriate backflow prevention device.
5. Existing oaks to remain shall be protected in place during construction. (see civil plans)

The heart of the landscape design is to treat the home within its oak woodland environment, incorporating mostly species that are fire resistant, drought resistant and compatible with Coast Oaks.

This lot has existing dikes along the leeward, seaward property line. The remainder of the lot has native grasses, and no shrubs. The property is surrounded on three sides by paved streets.

The following measures shall be taken to mitigate fire hazard and to preserve the quality of the dunes.

- 1) On the Plant Plates, 28 of the 31 species listed are from the SLOQOP Fire Resistant Plants for SLO County, or UCJPP Fire-Save Plant List.
- 2) All seating and tables shall be covered up to at least 4 feet using grade resistant materials.
- 3) Fire resistant groundcovers shall surround the structure for a minimum of 10'.
- 4) All plant materials shall be irrigated and properly maintained. Any dead plants or trees shall be removed immediately. No dry grasses or high-flame ornamental plants shall be planted or allowed to grow.
- 5) All exterior lighting shall be shielded to prevent any glare. The lighting shall use minimum wattage (150 watt) and shall not be exposed.



Conceptual Landscape Plan

PROJECT
Minor Use Permit
Bettencourt - DRC 2003-00145



CDF/San Luis Obispo County
Fire Department

635 N. Santa Rosa • San Luis Obispo • California, 93405

RECEIVED
JUN 28 2004
Planning & Bldg

June 27, 2004

County of San Luis Obispo
Department of Planning/Building
County Government Center
San Luis Obispo, CA 93408

Dear Coastal Team,

MINOR USE PLAN

Name: Bettencourt

Project Number: DRC 2003-00145

The Department has reviewed the minor use plans submitted for the proposed single family residence project located at Vista De Avila, Avila. The property is located within high fire hazard severity area, and will require a minimum 6-8 minute response time from the nearest County Fire Station.

The owner of the project shall meet the minimum fire and life safety requirements of the California Fire Code (1998 edition) with amendments. This fire safety plan shall remain on the project site until final inspection. The following standards are required:

BUILDING SETBACKS

The San Luis Obispo County Planning and Building Department shall establish setbacks for all parcels that cannot meet standard setback requirements.

The San Luis Obispo County Planning and Building Department shall establish setbacks for all parcels less than one acre.

ROOF COVERINGS

All new structures within "high" fire severity zones shall have a minimum of at least a Class 'B' roof covering.

FIRE EXTINGUISHING SYSTEM

The proposed project is required to install a residential fire/life safety sprinkler system.

The automatic fire extinguishing system shall comply with National Fire Protection Association Pamphlet 13D.

Plans shall be submitted for review and approval to the County Building Department.

The Contractor shall be licensed by the State of California [CFC 1003.1.1 amended/Title 19, Section 19.20.029 (a)].

COMMUNITY WATER SYSTEM

Emergency water supplies shall meet the minimum fire flow requirements as identified in the California Uniform Fire Code, Section 903.1, 903.2, 903.3 and 903.4 as amended, and in Appendix III-A.

The proposed project shall provide a minimum 1000 gallons of water per minute for 120 minutes.

The minimum water main size shall not be less than six (6) inches.

Pressures may not be less than 20 psi, nor more than 150 psi (Appendix IIIA).

WATER SUPPLY CONNECTION

One fire hydrant shall be required.

Fire hydrants are to be located with a maximum normal spacing of 500 feet as measured along vehicular travel ways.

The County Fire Department will assist in hydrant placement and approve distribution system when plans are submitted.

Fire hydrants shall have two, 2½-inch outlets with National Standard Fire thread, and one 4 inch suction outlet with National Standard Fire thread.

The Chief shall approve other uses not identified.

Signing: Each hydrant shall be identified by blue reflective dot.

CONSERVATION IS WISE-KEEP CALIFORNIA GREEN AND GOLDEN

PLEASE REMEMBER TO CONSERVE ENERGY. FOR TIPS AND INFORMATION, VISIT "FLEX YOUR POWER" AT WWW.CA.GOV.

- (a) On a fire resistive post within 3 feet of fire hydrant.
- (b) On a non-skid surface, center of roadway, to the fire hydrant side.

ACCESS

Access road width shall be 18 feet.

Driveway width shall be 12 feet.

All road and driveway surfaces shall be all weather.

All surfaces shall be constructed to meet a load capacity of 20 tons.

Any grade exceeding 12% shall be a non-skid surface.

ADDRESSING

Legible address numbers shall be placed on all residences.

Legible address numbers shall be located at the driveway entrance.

VEGETATION CLEARANCE

To provide safety and defensible space the following shall be required:

To each side of roads and driveways a 10-foot fuelbreak shall be provided.

Maintain around all structures a 30-foot firebreak.

This does not apply to landscaped areas and plants.

Remove any part of a tree that is within 10 feet of a chimney outlet.

Maintain any tree adjacent to or overhanging any building free of deadwood.

Maintain the roof of any structure free of leaves, needles or other dead vegetative growth.

FINAL INSPECTION

The project will require final inspection. **Please allow five (5) working days for final inspection.** When the safety requirements have been completed, **call Fire Prevention at (805) 543-4244, extension 2220**, to arrange for a final inspection. Currently Southern San Luis Obispo County inspections occur on Tuesdays and North County inspections occur on Thursdays.

Further information may be obtained from our website located at www.cdfslo.org ~ Planning and Engineering section. If we can provide additional information or assistance, please call (805) 543-4244.

Sincerely,
Gilbert R. Portillo

Fire Inspector

C: Mr. Ron Bettencourt, owner
R2L Architects



SAN LUIS OBISPO COUNTY
DEPARTMENT OF PLANNING AND BUILDING

VICTOR HOLANDA, AICP
DIRECTOR

THIS IS A NEW PROJECT REFERRAL

DATE:

FROM

FROM

6/7/04
PW
Coastal Team
(Please direct response to the above)

MUP
DRC 2003-00145
Bettencourt
Project Name and Number

Development Review Section (Phone: 781-

788-2009)

PROJECT DESCRIPTION:

sfr w/ attached "Granny-unit".
Approx. 4,846 sq. ft. of conditional space. Corner
of Lupine Cyn. Rd. & Vista De Avila, in Avila
Beach.

Return this letter with your comments attached no later than:

6/21/04

PART I

IS THE ATTACHED INFORMATION ADEQUATE FOR YOU TO DO YOUR REVIEW?

☒
☐

YES

(Please go on to Part II)

NO

(Call me ASAP to discuss what else you need. We have only 30 days in which we must accept the project as complete or request additional information.)

PART II

ARE THERE SIGNIFICANT CONCERNS, PROBLEMS OR IMPACTS IN YOUR AREA OF REVIEW?

☒
☐

NO

(Please go on to Part III)

YES

(Please describe impacts, along with recommended mitigation measures to reduce the impacts to less-than-significant levels, and attach to this letter.)

PART III

INDICATE YOUR RECOMMENDATION FOR FINAL ACTION. Please attach any conditions of approval you recommend to be incorporated into the project's approval, or state reasons for recommending denial. IF YOU HAVE "NO COMMENT," PLEASE INDICATE OR CALL.

Recommend approval - Erosion & sedimentation control plan.
Avila Road Fees will be due with Bldg Permit.

16 July, 2004
Date

Goodwin
Name

5252
Phone



MEMO

TO: Ronald Bettencourt

FROM: Debbie Seifert

SUBJECT: Heron Crest Development ,Tract 2149 - Lot #4

DATE: 04/06/04

Please find enclosed a copy of the original Will Serve Letter for the Heron Crest Development. Included with the letter is a copy of the "Notice of Federal and State Endangered Species Acts" that we are required to send. This is because of our association with the State Water Project.

So far the original letter for the development has been sufficient for the County to process the individual building permits. If you need an updated letter please let me know.



October 27, 1998

Alice Ford
Ford, Donegan & Associates
2010 N. Fine Ave. Suite 103
Fresno, CA 93727

RE: Heron Crest, Tract No. 2149
Final Will Serve Letter

Dear Ms. Ford;

Financial arrangements have been made, in the form of a bond with the County of San Luis Obispo, to assure the completion of the water distribution and wastewater collection systems for the above referenced development. In addition:

Ample water for normal household use and fire protection is available.

Water will be furnished on demand, without exception to each and every lot in Tract 2149.

The water is potable.

Sewer service will be provided to the laterals of each lot in Tract 2149. Exception noted: Sewage lift stations for individual lots and sewage force mains under 4" will not be maintained by San Miguelito Mutual Water Company.

If you have any further questions please feel free to contact our office.

Sincerely,
San Miguelito Mutual Water Company

Larry E. Seifert
General Manager

LES/djs

PROJECT REFERRAL
COMMUNITY ADVISORY COUNCIL

Date Referred: 8/31/04

Project Planner/Manager: TERRY WAHLER

The attached application was recently filed with the Planning Department for review and approval. Because the proposal may be of interest or concern to your community group, we are enclosing a copy of the project application and plan for your preliminary review and comment. Please comment on all issues that you see may be associated with this project.

You may want to contact the applicant and/or agent for the project to request a presentation to your group, or simply to answer questions about the project. The telephone number and address for the applicant / agent are provided on the application form that is attached.

PROJECT INFORMATION

File Number: DRC 2003-00145 Applicant: BETHELICOURT

Request: MINOR USE PERMIT TO ALLOW A 4,846 SQ.FT. RESIDENCE WITH 960 SQ.FT. GARAGE, 955 SQ.FT. PATIO, 404 SQ.FT. OF GUEST PARKING, INCLUDING GUEST UNIT WITHIN RESIDENCE.

STAFF COMMENTS

ARCHITECT WORKING ON SETTING UP VISUAL ANALYSIS WITH CONSULTANT (TO BE REVIEWED BY STAFF) PRIOR TO MAKING CHANGES TO PLANS TO BRING THEM INTO COMPLIANCE WITH TRACT 2149 CONDITIONS.

C.A.C. COMMENTS The attached checklist is to help you with your review. You may choose to complete the checklist as your only response to this referral.

- ☒ We have received the referral on the above-referenced project and have no comments.
- ☐ We have received the referral on the above-referenced project and have the following comments:

Please let us know the following:

- | | | |
|------------------------------|-----------------------------|--|
| <input type="checkbox"/> Yes | <input type="checkbox"/> No | Does your community group want to receive notice of the public hearing for the project? |
| <input type="checkbox"/> Yes | <input type="checkbox"/> No | Does your community group want a copy of the staff report when the project goes to public hearing? |
| <input type="checkbox"/> Yes | <input type="checkbox"/> No | Does your community group want to receive notice of the final action for the project? |

Date Referral Action Taken By Community Advisory Council: 9-17-04